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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: FACEBOOK, INC. CONSUMER
PRIVACY USER PROFILE LITIGATION,

This document relates to:

ALL ACTIONS

CASE NO. 3:19-CV-04591-VC

**DEFENDANT FACEBOOK, INC.'S
NOTICE OF MOTION AND MOTION TO
DISMISS PLAINTIFFS NAOMI BUTLER
AND PETER CHRISTLEY AND MOTION
TO STRIKE FROM SACC CLAIMS THAT
HAVE BEEN DISMISSED WITH
PREJUDICE**

Judge: Hon. Vince Chhabria
Courtroom 4, 17th Floor
Hearing Date: November 5, 2020
Hearing Time: 10:00 a.m.

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT on Thursday, November 5, 2020 at 10:00 a.m., or as soon thereafter as the matter may be heard before the Honorable Vince Chhabria of the United States District Court for the Northern District of California in the San Francisco Courthouse, Courtroom 4, 17th Floor, 450 Golden Gate Avenue, San Francisco, California 94102, Defendant Facebook, Inc. will and hereby does move for an order dismissing Plaintiffs Naomi Butler and Peter Christley's claims from the Second Amended Consolidated Complaint. This motion is brought under the doctrine *forum non conveniens*, see *Atl. Marine Const. Co. v. U.S. Dist. Court for W. Dist. of Tex.*, 571 U.S. 49, 60–61 (2013), and Federal Rule of Civil Procedure 12(b)(6) based on the parties' choice-of-law clause, *Richards v. Lloyds of London*, 135 F.3d 1289, 1292–94 (9th Cir. 1998) (en banc). In addition, Defendant Facebook, Inc. moves under Federal Rule of Civil Procedure 12(f) to strike from the Second Amended Consolidated Complaint causes of action that this Court dismissed with prejudice.

This Motion is based on this Notice of Motion and Motion, the accompanying Memorandum of Law, the papers on file in this case, any oral argument that may be heard by the Court, and any other matters that the Court deems appropriate.

DATE: August 25, 2020

Respectfully submitted,

GIBSON, DUNN & CRUTCHER, LLP

By: /s/ Orin Snyder
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CERTIFICATE OF SERVICE

I, Orin Snyder, hereby certify that I caused the foregoing document to be electronically filed via the Court's CM/ECF system.

DATED: August 25, 2020

/s/ Orin Snyder

Orin Snyder